

## REMARKS

Initially, it is noted that the Examiner has indicated original dependent claim 16 contained allowable subject matter. Applicant has amended independent claim 15 to incorporate the subject matter of dependent claim 16. It is now believed that independent claim 15 is in proper form allowance and such action is earnestly solicited.

Claims 17-19 depend either directly from independent claim 15 and further define a conduit not shown or suggested in the prior art. It is believed that claims 17-19 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

The Examiner has rejected independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by Grant et al., U.S. Patent No. 6,169,251. In addition, the Examiner has rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by LaPidus et al., U.S. Patent No. 6,362,432. As hereinafter described, applicant has amended independent claim 1 to more particularly define the invention for which protection is sought. It is now believed that independent claim 1 defines over the cited references, and as such, reconsideration of the Examiner's rejection is respectfully requested in view of the following comments.

Claim 1 defines a conduit for carrying multi-phase electrical power from a power source to a target. The conduit includes a plurality of conductors for electrically connecting the power source and the target. Each conductor has a predetermined length and includes a wire having insulation wrapped thereabout. A plurality of ground wires are positioned adjacent corresponding conductors. Each ground wire has a first end connectable to a neutral point of the power source and a second end connectable to a ground terminal of the target. A flexible inner jacket has an inner surface defining a passageway for housing the conductors and an outer surface. A tubular core extends about the outer surface of the jacket and braiding is wound about the outer surface of the core. The braiding has first and second opposite ends. A flexible jacket extends about the braiding. As hereinafter described, none of the cited references shows or suggests a conduit that incorporates a plurality of ground wires positioned adjacent corresponding conductors extending through the conduit wherein the ground wires have a first end connectable to a neutral point of a power source and a second end connectable to the ground terminal of a target and that provides a tubular core for preventing that passage of electromagnetic and radio frequency from passing therethrough. As such, it is believed that independent claim 1 defines over the cited references.

The Grant et al. '251 patent discloses a conduit comprising a plurality of conductors. Each conductor is a predetermined length and includes a wire having insulation wrapped thereabout. The '251 patent further discloses an inner jacket and a tubular core extending about the outer surface of the inner jacket. Braiding is wound about the outer surface of the core. The conductor includes a cylindrical filler extending through the conduit, but does not disclose a grounding wire, and more particularly, a plurality of grounding wires positioned adjacent to corresponding conductors. Such a structure is entirely absent from the Grant et al. '251 patent.

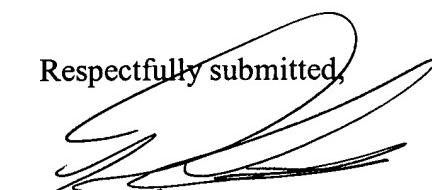
The LaPidus et al., '432 patent discloses a power cable having a plurality of power conductors and a plurality of grounding conductors. Insulation is wrapped around the power conductors and an inner jacket surrounds the power conductors and the grounding conductors. A flexible, braided sheet surrounds the inner jacket and is constructed and arranged to limit transmission and susceptibility to electromagnetic and radial frequency interference. The outer jacket surrounds the braided sheath member. The Examiner suggests that the LaPidus et al. '432 patent discloses a tubular core that extends thereabout the outer surface of an inner jacket and braiding wound about the outer surface of the core. The Examiner points to Column 5, lines 11-14 of the '432 patent in support. However, the portion of the specification referred to by the Examiner specifically indicates that the braided sheath 32 includes a thin polyester foil 34 disposed adjacent to the inner jacket 30 and an outer plastic coating 36 on the sheath copper wires disposed adjacent outer jacket 38, as depicted in Fig. 1 of the '432 patent. Hence, nothing in the '432 patent shows or suggests providing a tubular core that extends about the outer surface of the inner jacket. Such an element is entirely absent from the LaPidus et al. '432 patent. The

core provided for an independent claim 1 prevents electromagnetic and radial frequency interference from passing therethrough. This differs from the flexible power cable disclosed in the '432 patent wherein the braided sheath member is constructed and arranged to limit transmission and the cables susceptibility to electromagnetic and radial frequency interference.

In view of the foregoing, it is believed that independent claim 1 defines over the cited references and is in proper form for allowance. Claims 3-6 depend either directly or indirectly from independent claim 1 and further define a conduit not shown or suggested in the art. It is believed that claims 3-6 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Applicant believes that the present application with claims 1, 3-6, 15 and 17-19 is in proper form for allowance and such action is earnestly solicited. The Commissioner is hereby authorized to charge payment of any additional fee(s) associated with this or any other communication or credit any overpayment to Deposit Account No. 50-1170, if necessary.

Respectfully submitted,



Peter C. Stomma, Reg. No. 36,020

Dated: October 26, 2004

Boyle Fredrickson Newholm Stein & Gratz S.C.  
250 Plaza, Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, WI 53202  
Telephone: (414) 225-9755  
Facsimile: (414) 225-9753  
Attorney Docket No.: 377.001